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Preliminary Notes on "Vietnam Negotiating Strategy"

The paper identified and states the problems with alternative routes very well.

We face the problem that potential U.S. positions on political settlement, mutual withdrawals, territorial accommodation, etc., and the risks as well as the benefits of each, are considered separately by the bureaucracy's studies as well as in this paper. It would be useful to consider the risks and benefits of alternative courses in relation to each other. One should work on trying to reduce the risks for both sides in these alternatives, and on determining which alternative can best minimize the risks. (The paper does not state that the alternatives are mutually exclusive, of course.) At first blush, the modified election process seems potentially the most fruitful. This judgment is based on the assumption that Hanoi will not agree -- and mean to observe -- a settlement which provides much less in the short run than Hanoi believes it can achieve anyway. Nor is it in our interest that Hanoi make an agreement not in its interest which it has the ability and intention to scuttle after U.S. forces are withdrawn.

-- De facto territorial accommodation presents the apparently insuperable problem that local competition and misunderstandings will, as the paper states, "threaten the breakdown of the ceasefire unless there is a strong will on both sides to maintain it," and "non-violent accommodations might prove impossible." We must assume that the North Vietnamese will not withdraw their troops unless they believe that the VC will be able to make progress in the continuing competition in South Vietnam. Given the present situation, the North Vietnamese could only assume this if they believed that the VC would be able to reverse the current trend of GVN territorial gains -- in short, that it will not really be accommodation, but an opportunity to improve their position fairly quickly. An "accommodation" based on current GVN territorial control but not on VC political and terrorist capabilities would not be in Hanoi's interest, and therefore would not be lasting. It is therefore unrealistic to try to base a national settlement on territorial accommodation. Hanoi will not settle on this basis, unless with the intention to take advantage of it.

-- A fixed U.S. withdrawal timetable as part of a mutual withdrawal would be greatly to our interest. But again, the essential problem is that it is not in North Vietnam's interest to make an honest withdrawal with the U.S. under the current circumstances. They would almost certainly violate any "understandings" they make unless they have a good idea of what the political balance will be. Indeed, they will almost certainly have to know what a political settlement will look like before they make a mutual withdrawal agreement that they intend to stick by.

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These are not arguments for not negotiating. They are arguments for finding a formula for political settlement which will be in both sides' interests. Without such a formula, both a ceasefire and a mutual withdrawal agreement which would stick are almost impossible.

This brings us back to the modified election process. The paper's suggestion that principal elements of such a formula should be local elections building toward national competition, local electoral commissions, a GVN with central authority, and (perhaps) expansion of the Cabinet could provide the basis for such a formula. But it requires a great deal more study, and it is important that we do so quickly. The most difficult problem in working out a formula will, of course, be in determining how the commission's Cabinet, etc. would be balanced. Who decides?

The key from Hanoi's point of view in this, as well as from the GVN's, will be that they have a good idea of where the process of a political settlement will end. Americans have a philosophical commitment to the process itself; the Vietnamese do not. Therefore, it will basically be a question of first reaching agreement among all parties, and especially the GVN and Hanoi, on what the final solution will look like, and then working out the process which will give the world the appearance of a legitimate political contest but give all the Vietnamese parties an assurance that the process will actually produce the agreed upon sharing of power.



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